

12/1/01
Corporation, Tokyo, Japan) reader. In this example, a Memory Stick™ 112 is shown as the content bearing media which contains, for example, digital formatted music program material. Media player 106 includes all of the conventional circuitry required to effect playback of the program material in the media 112 and reproduction thereof over the headphones 120. Alternative media such as tape, disc, magnetic, optical, magneto-optical, silicon technologies such as flash memory and EEPROM memory and other storage technologies which can be adapted to store digital representations of content can also be used without departing from the invention.

A marked-up version of the amendments to the specification appears as an attachment hereto.

IN THE CLAIMS:

Please amend the following claims to read as follows:

9. (AMENDED) The apparatus according to claim 8, wherein the content player comprises a stick type memory device reader and wherein the memory is embodied in a stick memory device.

22. (AMENDED) The method according to claim 21, wherein the semiconductor memory device comprises a stick memory device.

29. (AMENDED) The method according to claim 28, wherein the semiconductor memory device comprises a stick memory device.

9X
42. (AMENDED) The apparatus according to claim 41, wherein the content player comprises a stick type memory device reader and wherein the memory is embodied in a stick memory device .

45. (AMENDED) A method of playback of electronic media, comprising:
providing a credit bearing medium embodied as a smart card having a magnetic strip used as an interface thereto;
purchasing playback credits;
encrypting the playback credits;
storing the encrypted playback credits to the credit bearing medium;
reading a credit bearing medium containing playback credits;
decrypting the playback credits read from the credit bearing medium
transferring the decrypted playback credits from the credit bearing medium to a playback credit bank;
reading a content bearing medium, the content bearing medium comprising a stick memory device;
determining if the playback credit bank has at least one credit, and if so:
determining if the content bearing medium is present, and providing a prompt to install the content bearing medium if the content bearing medium is not present, and when the content bearing medium is present:
deducting a credit; and
playing back the content stored on the content bearing medium;
providing a message advising of the lack of playback credits in the event the credit bank does not have at least one playback credit.

A marked-up version of the amendments to the claims is included as an attachment hereto, with all claims presented whether amended or not.

INTERVIEW SUMMARY

On July 23, 2002, the undersigned conducted a personal interview with Examiner Larry Taylor. The undersigned appreciates the Examiner's courtesy and professionalism displayed during that interview. In the course of that interview, the undersigned summarized the invention, and explained that the cited Abecassis reference has no clear teaching of purchasing playback credits as required by some of the claims. The undersigned further explained that although Fig. 8 and the associated text of Abecassis appears to add credits for listening to advertisements and deduct them for play of content, there is apparently no clear disclosure of lack of play if there is not at least one playback credit present. Many other of Applicant's claims require that there be play of content only if at least one credit is available. Mr. Taylor indicated that he understood the arguments.

Also discussed during the interview was a proposed rewording of the claims to eliminate the trademark MemoryStick. It was agreed that the term "stick memory device" would be used and submitted for consideration of Mr. Taylor's Primary Examiner.

Also discussed during the interview was the undersigned's intent to file an information disclosure statement along with the response. A copy of the reference to be cited was provided to the Examiner at that time.

REMARKS

This application has been carefully reviewed in view of the above office action in which claims 9, 22, 29, 42 and 45 were rejected under 35 U.S.C. §112, and claims 1-45 were rejected under 35 U.S.C. §102.

Regarding the rejection under 35 U.S.C. §112, the relevant claims have been amended to substitute the term "stick memory device" in place of the trademark term for such devices. The specification has also been amended in two locations to reflect this change. This amendment clearly involves no new matter and is believed to place these claims in condition for allowance. Reconsideration is respectfully requested.